

broke around 20 windows and damaged others with ball bearings hurled from a slingshot. He also threw etching fluid up to ten times at banks' windows in the Capitol Hill area. Avoiding arrest, he actively took part in the rioting and destruction through the WTO conference's conclusion on December 2.

In March 2000, McGowan moved to Eugene, where he worked for a short time at *Earth First! Journal*. Although invited to attend the Family's Book Club meeting in March 2000, he was unable to do so. In April he organized a group to commit vandalism in Eugene as a way of testing people for future crimes. They damaged an Umpqua Bank and a health food store in Eugene.

McGowan was the prime organizer behind a major attack on the Pure Seed testing facility in Canby, Oregon, on June 5, 2000. He researched the company and discovered it was developing genetically modified creeping bent grass for golf courses. After a reconnaissance a week prior, he and the group pulled up test plots, turned over every planter and pot they could find, and caused substantial destruction. McGowan was responsible for the communique, which attributed the crime to the "Anarchist Golfing Association." Pure Seed suffered \$500,000 in damages.

McGowan traveled to the Midwest in July 2000 to perform more crimes. He acted with a group that defaced the building of Avantis, a human blood bank. It was targeted simply because it supposedly outpriced other blood donation sites. On July 20, 2000, McGowan and others sabotaged the U.S. Forest Service's North Central Forest Biotechnology Laboratory in Rhinelander, Wisconsin. McGowan researched the facility, which genetically engineered trees, and he studied tree-girdling as a tactic. With McGowan's active participation, the group spent a

few hours at the site and destroyed over an acre of trees. He spray-painted “ELF” on a dozen Forest Service jeeps. He typed and sent the communique, which claimed the crime for ELF. Damages at the Rhinelander facility were \$1,000,000.

McGowan attended his first Book Club meeting in Santa Cruz, in September 2000. About a dozen people crowded into a motel room and discussed computer encryption and incendiary devices. McGowan gave a presentation on biotechnology as a target.

In December 2000, McGowan took part in a reconnaissance of the Jefferson Poplar Farm, but time constraints prevented the crime from happening at that time. Instead, McGowan participated in the arson at Superior Lumber Company on January 2, 2001. He helped in a reconnaissance a week before the crime and stayed at a house in Eugene with Savoie and others in preparation for it. Timing devices and buckets of fuel were kept at the house. McGowan helped load the fuel into the van and rode with others to the site. He changed into dark clothing, performed a radio check, and served as a lookout during the setting of the fire. Afterwards McGowan went to Portland to compose and send out the communique. He took the extra precautions of using a public computer, assembling the paper communique in a rest room at Powell’s Books, handling it with latex gloves, and sending it out via U.S. Mail. Damages at Superior Lumber were \$1,041,696.

McGowan attended the January 2001 Book Club meeting in Olympia. The meeting dealt with conflicts within the ELF/ALF cell, rumors concerning some members, and concerns about keeping the Family together. With McGowan’s support, the group survived to commit further crimes.

McGowan took part in the tree-spiking at the Judie timber sale near Oakridge in March 2001. After researching tree-spiking and learning how to stop timber sales, McGowan purchased 200 nails and 35-50 large spikes at a hardware store. He personally recruited the other participants. Using head lamps, they spent about 2 ½ hours in the woods at night placing nails and spikes at different heights on the trees. They snipped the heads on some nails and drove them in deeper, which made them more difficult to detect and remove. McGowan wrote and e-mailed the ELF communique for the crime.

McGowan participated in the planning and execution of the arson at Jefferson Poplar Farm on May 21, 2001. His research mistakenly identified the owner as “James River” or a similar name, when in fact the facility had changed hands and was no longer owned by a firm involved in genetic engineering. Plans for sabotage of the site developed into a full-fledged arson.

McGowan met several times with others in Olympia to plan the crime, with the knowledge there would be another simultaneous arson elsewhere committed by others. McGowan was with others when fuel and device components were purchased. He personally purchased radios, a scanner code book, and multiple Tupperware containers. Assisting others, McGowan took part in the manufacture of timing devices used at both Jefferson Poplar Farm and the University of Washington (UW). They wore full Tyvek plastic suits with hoods, dust masks, and multiple layers of plastic gloves while making the devices.

At Jefferson Poplar, McGowan made several trips carrying large fuel containers for the fire. He set incendiary devices with the fuel at the office building and did the same at the garage building. Going from one pickup truck to another, he placed the fuel and cloth “trailers” that

connected the vehicles. Before leaving, he helped spray-paint “ELF” on the side of a building. Returning to Olympia, he dumped bags of clothing in suburban dumpsters. He assisted in writing the communique and was angry when someone (Craig Rosebraugh) later altered it to excise the James River reference.

Soon thereafter, McGowan attended a Book Club meeting near Sisters, Oregon, where the group discussed the altered communique and other topics indicative of the group’s disruption. Returning to Eugene, McGowan originated the idea of damaging logging equipment at a local site and carried it out with the help of others on June 18, 2001. They caused \$20,000 in damage to a log loader. In July 2001 McGowan and a small group attempted unsuccessfully to dig up and damage culverts at a BLM timber sale site near Oakridge.

McGowan founded the North American Earth Liberation Prisoner Support Network. Through it and other means over several years McGowan actively supported and aided prison inmates serving time for criminal acts similar to those he had committed. McGowan in particular led the defense of Jeff Luers, who was serving a lengthy sentence for arson in Eugene. During this time, McGowan remained dedicated to the cause of violent action and cover-up, as shown by his own words.

In 2005 McGowan made numerous incriminating statements to cooperating witness Jacob Ferguson. These conversations were recorded. McGowan referred to their cell as the “Family” and used code words and code names for their activities and participants. Even though it was four years after his final arson with the cell, McGowan repeatedly expressed deep concern about all cell members maintaining silence and thwarting any investigation. On April 2, 2005, McGowan said he would take the lead in enforcing the code of silence:

So it's like the whole thing with the grand jury. It's like the way you stop it, even if one person gets caught, if that one person shuts the fuck up and fuck it, you know. If someone goes down in our family and, I'm going to borrow a fuckin' load of money and, like, get a lawyer . . . Even though I'm not in contact with anyone really, except India [Suzanne Savoie]. You know, that's fact, you know. Like, that's like, we swore to each other that, and I mean it. I'm not fuckin' joking, man. If someone goes down, like, I will arrange for legal representation.

On August 15, 2005, McGowan said he would never go into the grand jury, but if he did, "basically, like, I would be lying . . . 100% of the time, so why would I ever, you know what I mean?" McGowan said, "The way that you live a normal life is to make sure that you and your friends don't fuckin' ever open up your mouth." The next day he said, "Everyone I've met with is totally solid. There's a few loose ends, but I think they probably, they probably also know, like, just cool out, you know."

McGowan expressed no remorse for the cell's activities, but, in fact, wanted to further its legacy. On August 15, 2005, he said:

But, uh, but I'm saying like the legacy of, of the Family is that like it has contributed to other stuff that we don't see necessarily or we don't wanna say that it has any connection to, but the sad thing is that like our main unit of, of the [Earth First!] Journal has not done the job on like how not to get caught.

Noting that "almost our whole Family retired," McGowan reflected on its legacy and lamented the present time without them:

. . . [Y]ou wanna look at why the Northwest is different now, it's 'cause our Family retired. You know, I mean, and the people that are doing stuff now, I mean I think some of the A [ALF] people are old, like distant family or, like . . . the same old peeps that have been doing shit forever, but I think the E [ELF] people . . . one a year and then go.

During the same conversation McGowan revealed his efforts in re-distributing Rodgers' book on electrical timing devices:

I was in a storage unit in New York recently, an old, uh, environmental office, and I found an old copy of that book he made, that zine he made . . . So I . . . made some clean copies, and I mailed it to some distros [distributors] and, and wrote a little note asking them to copy it, that it had fallen out of distro and that it really needs to be distroed again, you know.”

Noting he had not seen any results yet, McGowan said he would try again. He commented on the publication itself:

It was great. Too technical, though, man, too technical. Too technical and scary . . . I was gonna, like, make 20 copies of them and just send them out from New York, uh, to like different distros that are into zines and, um, unfortunately, like . . .

It used to be on line, but then the ELF site went down. But I think the ELF site is gonna be put back up again. And, hopefully, like it was PDF on that, you could download that shit. And that’s what’s really needed, is you need to be as a downloadable file, you know.

McGowan then re-emphasized that he intended to reproduce and redistribute the clandestine publication.

On April 1, 2005, McGowan explained what motivated his dropping out of the cell after the Jefferson Poplar arson:

I was kind of running out of air. I feel like, sooner or later I was going to trip up really hard. And, you know, I don’t want to fuckin’ . . . I didn’t want to end up in jail, man.

The next day McGowan reflected on the relative value of the “actions”:

Some actions are really stupid, and they don’t do much. And some actions are good, and maybe they’re really awesome symbols. I mean, they rebuilt Vail, but who cares, you know. I mean, that ignited, like literally, you know . . . And don’t lament. Like, don’t be upset about, like, the hype, like, lack of stuff going on in the Northwest. It comes and it comes and goes, man. And also when it left the Northwest, and it pretty much, in south L.A., you know, it’s like . . .

Similarly, on August 15, 2005, McGowan reiterated the value of his and the Family's prior actions:

They haven't rebuilt everything, . . . but, you know, that should never be the barometer of victory, man. The victory is like the fuckin' publicity. That's what it is. It's the putting it on the map, man . . . And it, it's changed, man, like, you know, it's changed perception.

He specifically praised the recruitment value of the Vail fire:

. . . Vail was like the recruitment drive, you know, and it worked. It got people's attention, man. It totally changed the extreme of eco-resistance. It made tree sits look calm, you know. It made fuckin' road working look like something kids can do, you know.

**b. Charges**

McGowan entered guilty pleas to conspiracy, in violation of 18 U.S.C. § 371, and 13 counts of arson and one count of attempted arson in violation of 18 U.S.C. § 844(i), in connection with the following sites:

Superior Lumber Company (1)

Jefferson Poplar Farm (12 arsons and one attempted arson).

**c. Role in the Offense**

Although McGowan came into the "Family" relatively late in its existence, for several years he had already committed increasingly serious criminal acts in his ideological quest. From 1997 until the arson at Superior Lumber Company in early 2001, McGowan had proven and endeared himself with many violent activists. When he joined the Family, he was already a veteran of many lawless actions with mounting damage totals and immeasurable losses to valuable research. The following briefly describes McGowan's role in the two arsons:

01/02/01 Superior Lumber Company, Glendale, Oregon – \$1,041,696 loss

McGowan brought Suzanne Savoie along into this crime. He did reconnaissance and for several days literally lived with the fuel, equipment and cohorts. He helped transport the fuel. With the aid of radios, he successfully acted as a lookout as the destructive acts were performed. As in other instances, McGowan was responsible for the communique (so important in achieving success with publicity) and distributed it in a hyper-sensitive manner.

05/21/01 Jefferson Poplar Farm, Clatskanie, Oregon – \$994,412.42 loss

McGowan took part in early reconnaissance for this crime, long before it was deemed feasible. He researched the target, but apparently not well enough, since it had changed corporate hands by the time he hit it. He eagerly turned what started as a GE-style action into a huge arson. He helped plan it over several months' time, performed additional reconnaissance, purchased supplies, and assisted in manufacturing the timing devices. He also knew it was in conjunction with another arson at the same time. At the site McGowan performed essential roles in setting fuel and devices. Fortunately, the fire just barely missed a large propane tank that could have taken several lives if it had exploded. McGowan painted "ELF" graffiti at the scene and helped in the important publicity of the communique.

#### **d. Restitution**

The total estimated loss for the arsons personally committed by McGowan totals \$2,036,108.42. It is unknown, however, precisely how much other damage he caused in the array of uncharged "actions" he committed over the years.

#### **e. Aggravating Factors**

Although he actively participated in only two of the Family's arsons, it is clear McGowan was a totally committed and dedicated lawbreaker from 1997 onward. He has avoided prosecution for numerous costly crimes in California, Washington, Wisconsin, Oregon, and New York. Where McGowan has gone, mindless destruction has followed. His candid recorded remarks in 2005 demonstrate continued commitment to the cause of violence and



dedication, if not leadership, in enforcing the code of silence. By encouraging the re-distribution of Rodgers' book on electrical timers in 2005, McGowan reaffirmed his interest in the Family's legacy right up to the time of his arrest.

**f. Mitigating Factors**

None.

**g. Cooperation**

As stated earlier, a separate letter is being sent to the court setting forth in detail the extent and value of each defendant's cooperation.

**h. Specific Advisory Guidelines Calculations**

As stated in section III.B.2 above, McGowan's base offense level is 38VI. To that, the following adjustments should be made: Two levels should be added for combined offense level (multiple offenses) under § 3D1.4, and three levels should be subtracted for acceptance of responsibility under § 3E1.1, for an adjusted offense level of 37VI (360 - life).

**i. Sentence Recommendation**

McGowan and the government understand and agree that the court will consider 18 U.S.C. §3553(a) factors in determining the appropriate sentence in this case.

Based on the above, the government recommends up to a 14-level downward departure pursuant to U.S.S.G. § 5K1.1 for substantial assistance to authorities, in conjunction with § 3553(a) factors, for an ultimate advisory guideline of 23VI (92 - 115). The government

recommends a sentence at the low end of the advisory guideline range, **92 months imprisonment**. McGowan is free to request other adjustments or departures, but the government will oppose any such request.

**6. Nathan Fraser Block**



**a. Background**

Nathan Fraser Block, 26, attended classes at Evergreen State College in Washington after dropping out of high school. He applied for several student loans, and believed the world was coming to an end so he would never have to repay the loans. Throughout the conspiracy he was referred to as "Exile" and "Hasson."

In November 1999, Block attended meetings in Seattle to prepare for illegal activities at the World Trade Organization (WTO). There, he met co-conspirator Joyanna L. Zacher. Block's participation in the WTO riots involved dressing in black and filling his backpack with rocks. He boarded a bus in the University District of Seattle and traveled to the Capitol Hill area. Once there he walked downtown and began throwing rocks at office windows and police officers. He also worked with others in attempting to take over a three-story building. Block avoided arrest during this crime spree.

Shortly after the WTO riots, Block and Zacher traveled to the EarthFirst! rendezvous in the Mojave Desert of California. While at the rendezvous, they became involved in group discussions about tactics of property destruction.

In March 2000, Block and Zacher attended the E-Law Conference in Eugene. During that conference, they attended the first of what were to become known as the Book Club meetings. This first meeting occurred at a residence in Springfield. The participants trained themselves in being more effective in acts of sabotage and arson. Block continued to attend these meetings until the group disbanded in the summer of 2001.

During this time, Block began to associate with William Rodgers. Block and Zacher assisted Rodgers in the growing and distribution of marijuana, the proceeds of which were used to finance continued arson operations. Rodgers also trained Block in the construction of incendiary devices and electronic timing devices.

On August 1, 2000, Block was involved in the destruction of a research wheat crop in Dusty, Washington. He and other members of the Book Club destroyed experimental wheat grown by the Monsanto Corporation.

Just prior to February 20, 2001, Block and Zacher traveled to Eugene to plan a tree spiking in the Judie timber sale area of the Willamette National Forest. The planning included placing the nails and spikes at varying heights and then cutting off the heads of the spikes so they could not be detected.

On two separate nights, Block, Zacher and others hammered nails and spikes into more than 100 trees, damaging 39 acres of national forest trees. Approximately a week later, this crime was claimed by ELF in a communique that warned, "All responsibility for worker safety

now lies with the owner of the sale, Seneca Jones Corporation and their accomplices, the Forest Service.”

One month later, on March 18 and 19, 2001, Block and others destroyed trees at the Oregon State University (OSU) poplar farm research facilities in Corvallis and Klamath Falls. These targets had been selected by Book Club members, and planning meetings occurred in December 2000. Block conducted at least two reconnaissance missions at the facilities, during which he and others learned of nearby trails and established escape routes. Block checked several of the research trees to confirm they had metal tags identifying them as genetically engineered poplar trees. While their efforts resulted in extensive damage to OSU's poplar tree research program, Block and the others believed their work at OSU was inadequate and began planning for something better.

Ultimately, Meyerhoff suggested the Joe Romania Chevrolet Truck Center in Eugene, and provided hand-drawn diagrams of the car lot. During the preparation for the arson, Meyerhoff suggested that cloth “trailers” soaked with gasoline be used to connect the pans of fuel which would be placed under the vehicles.

Block and Zacher gathered the materials necessary for the incendiary devices, being careful not to shop for the materials in stores which had surveillance cameras. Block purchased road flares and oil pans from automotive stores, and sheets and towels from thrift stores. They chose to buy everything they needed and did not shoplift anything because of what had happened to Family member Josephine Overaker when she was arrested for shoplifting while getting materials for the earlier APHIS arson in Olympia.

A couple of days before the Romania arson, Block, Zacher and Rodgers traveled to Eugene where they met Meyerhoff, and obtained a van to haul the fuel and ignition devices to the site. The night before, Block, Zacher, Rodgers, Meyerhoff and Tubbs participated in a "dry run" for the arson. Block was not allowed to meet Tubbs, as Tubbs did not want Block to know his identity.

In the early morning hours of March 30, 2001, Block, Zacher, Rodgers, Tubbs and Meyerhoff executed their plan at the Romania Chevrolet Truck Center, placing the fuel, incendiary device and "trailers" which ultimately destroyed 35 vehicles, valued at approximately \$959,000.

Approximately two months later, on May 21, 2001, and after extensive planning, Block and others committed the arson at Jefferson Poplar Farm, while others simultaneously burned Merrill Hall at the University of Washington. Block's role at Jefferson Poplar was to carry fuel and place the incendiary devices and cloth trailers beneath the vehicles. He also provided the location for meetings and extensive preparation.

On February 23, 2006, Block and his co-conspirator and girlfriend, Joyanna Zacher, were arrested at their residence in Olympia on charges of conspiracy to commit arson. A search warrant was executed which yielded documents promoting criminal activism. Also discovered was an indoor marijuana grow.

**b. Charges**

Block entered pleas of guilty to conspiracy, in violation of 18 U.S.C. § 371, 47 counts of arson in violation of 18 U.S.C. § 844(i), in connection with the following sites:

Joe Romania Chevrolet Truck Center (35)

Jefferson Poplar Farm (12), and

one count of attempted arson in violation of 18 U.S.C. § 844(i), for the Jefferson Poplar Farm arson.

**c. Role in the Offense**

Block's roles in the crimes of conviction vary from planning and obtaining materials for the arsons to actually placing the incendiary devices under vehicles and next to buildings.

Block's roles are briefly described in the following arsons:

03/30/01      Romania II, Eugene – \$959,000 loss

Block participated in the planning, testing and preparation for the arson. He assisted in collecting the necessary materials for the arson and, along with Meyerhoff, placed the individual incendiary devices and "trailers" under the vehicles.

05/21/01      Jefferson Poplar Farm, Clatskanie, Oregon – \$994,412.42 loss

Block and Zacher provided a meeting place for the conspirators during the planning of the arson and assisted in gathering the necessary materials. Block physically placed some of the incendiary devices and provided the meeting place for the conspirators to debrief afterward.

**d. Restitution**

The estimated loss resulting from Block's substantive counts of arson is approximately \$1,953,412.42.

**e. Aggravating Factors**

Block was involved in the planning and preparation and was a full participant in both the Romania Truck Center arson and the Jefferson Poplar Farm arson.

**f. Mitigating Factors**

None

**g. Cooperation**

As stated earlier, a separate letter is being sent to the court detailing the extent and value of each defendant's cooperation.

**h. Specific Advisory Guidelines Calculations**

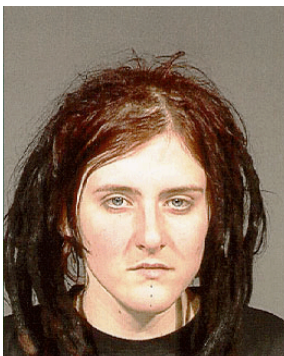
As stated in section III.B.2 above, Block's base offense level is 38VI. To that, the following adjustments should be made: Two levels should be added for combined offense level (multiple offenses) under § 3D1.4, and three levels should be subtracted for acceptance of responsibility under § 3E1.1, for an adjusted offense level of 37VI (360 - life).

**i. Sentence Recommendation**

Block and the government understand and agree that the court will consider 18 U.S.C. §3553(a) factors in determining the appropriate sentence in this case.

Based on the above, the government recommends up to a 14-level downward departure pursuant to U.S.S.G. § 5K1.1 for substantial assistance to authorities, in conjunction with § 3553(a) factors, for an ultimate advisory guideline of 24VI (92 - 115). The government recommends a sentence at the low end of the advisory guideline range, **92 months imprisonment**. Block is free to request other adjustments or departures, but the government will oppose any such request.

**7. Joyanna L. Zacher**



**a. Background**

Joyanna L. Zacher, 29, is a self-proclaimed anarchist. Throughout the conspiracy, she was known as "Sabina" and "Sheba." In the spring of 1999, Zacher lived in an apartment in downtown Seattle. She became aware of the World Trade Organization (WTO) and joined others to take part in violent demonstrations at the WTO Conference. It was with this group that she met Block and others who eventually became fellow arson cell members.

In preparation for the anti-WTO activities, Zacher's group developed a plan to enter and destroy the offices at the Seattle plant of the Cargill Corporation, an international corporation involved in food production. Zacher performed reconnaissance of the location while others planned confrontation strategies in the event they encountered Cargill guards. Zacher also attempted to steal license plates to be placed on the group's rental van which was to be used to transport Zacher and others to the scene.

Zacher's group disagreed about the Cargill burglary plans, so that crime was abandoned. Instead, she and others drove their rented van to downtown Seattle and engaged in other



destructive actions. All in her group were dressed in black and wore masks, calling themselves the “Black Bloc.”

Zacher’s “Black Bloc” threw acid-filled eggs at department store windows. As the eggs broke on the plate glass, the acid etched the windows with permanent splatter marks. Others in her group used sling shots, hurling rocks at windows and buildings to damage as much as possible. Zacher was ultimately arrested and detained by Seattle police.

While charges against her were pending, Zacher published handbills discussing her court case and her disgust with the government and its legal system. In the fliers, she stated, “there can be no justice at the hand of the oppressors.” She went on to profess, “. . . Seattle as being the first definitive step in our struggle that is far from over.”

Once released from jail, Zacher traveled with Block to California to attend the Earth First! rendezvous. There she attended one of the Book Club meetings, where she learned advanced tactics in committing arsons.

In August 2000, Zacher and others chopped down a wheat crop at the Monsanto Corporation research facility in Dusty, Washington. After the Monsanto crop destruction, Zacher continued with her Book Club meetings and learned how to construct incendiary devices using “clean rooms” to prevent DNA, latent print and trace evidence contamination. She also learned lock-picking and how to gain surreptitious access to buildings.

On February 20, 2001, Zacher and eight others spent two nights placing spikes in trees at the Judie timber sale in the Willamette National Forest near Oakridge. The spikes were placed at various heights with the heads of the spikes cut off and camouflaged to prevent detection. Afterward, a communique was prepared which stated in part, “all survey stakes have been pulled

and destroyed . . .,” and “we inserted 60-penny nails and 8 and 10 inch spikes both high and low in the trees . . . .” It went on to warn, “[A]ll responsibility for worker safety now lies with the owner of the sale, Seneca Jones Corporation and their accomplices, the Forest Service.”

Less than a month later, Zacher, Meyerhoff, Block, Rodgers and Tubbs planned and committed the March 30, 2001 Joe Romania Chevrolet Truck Center arson in Eugene, causing approximately \$959,000 in damage.

Two months after the Romania arson, and after participating in the extensive planning for two simultaneous arsons, Zacher and others committed the Jefferson Poplar Farm arson on May 21, 2001, causing damage of approximately \$994,412.42.

On February 23, 2006, Zacher and Block were arrested at their residence in Olympia on charges of conspiracy to commit arson. At the time of their arrest, a search warrant was executed, yielding documents promoting criminal activism. Also found in their residence was an indoor marijuana grow.

Once arrested, Zacher immediately contacted her estranged family and cautioned her mother not to speak to law enforcement officials about her case.

**b. Charges**

Zacher entered pleas of guilty to conspiracy, in violation of 18 U.S.C. § 371, 47 counts of arson in violation of 18 U.S.C. § 844(i), in connection with the following sites:

Joe Romania Chevrolet Truck Center (35)

Jefferson Poplar Farm (12), and

one count of attempted arson in violation of 18 U.S.C. § 844(i), for Jefferson Poplar Farm.

**c. Role in the Offense**

Zacher's roles in the crimes of conviction vary from planning and obtaining materials for the arsons to serving as a lookout and providing a meeting place for the conspirators. Zacher's roles are briefly described in the following arsons:

03/30/01 Romania II, Eugene – \$959,000 loss

Zacher participated in the planning and preparation of the arson. She assisted in collecting the necessary materials and served as a lookout both during the "dry run" and on the night of the arson.

05/21/01 Jefferson Poplar Farm, Clatskanie, Oregon – \$994,412.42 loss

Zacher provided a meeting place for the conspirators during the planning of the arson and assisted in gathering the necessary materials for its execution. She served as a lookout and monitored the radio scanner after the arson had taken place. She subsequently provided the meeting place for the conspirators to debrief about the arson.

**d. Restitution**

The estimated loss resulting from Zacher's substantive counts of arson is approximately \$1,953,412.42.

**e. Aggravating Factors**

Zacher was involved in the planning and preparation and was a full participant in both the Romania Truck Center arson and the Jefferson Poplar Farm arson. She was also an active participant in the WTO riots, the Monsanto wheat crop destruction, the Judie Timber Sale tree-spiking and the Book Club meetings.

**f. Mitigating Factors**

None

**g. Cooperation**

As earlier stated, a separate letter is being sent to the court setting forth in detail the extent and value of each defendant's cooperation.

**h. Specific Advisory Guidelines Calculations**

As stated in section III.B.2 above, Zacher's base offense level is 38VI. To that, the following adjustments should be made: Two levels should be added for combined offense level (multiple offenses) under § 3D1.4, and three levels should be subtracted for acceptance of responsibility under § 3E1.1, for an adjusted offense level of 37VI (360 - life).

**i. Sentence Recommendation**

Zacher and the government understand and agree that the court will consider 18 U.S.C. §3553(a) factors in determining the appropriate sentence in this case.

Based on the above, the government recommends up to a 14-level downward departure pursuant to U.S.S.G. § 5K1.1 for substantial assistance to authorities, in conjunction with § 3553(a) factors, for an ultimate advisory guideline of 23VI (92 - 115). The government recommends a sentence at the low end of the advisory guideline range, **92 months imprisonment**. Zacher is free to request other adjustments or departures, but the government will oppose any such request.

8. **Jennifer Lynn Kolar**



Jennifer Lynn Kolar, now 33, was born and raised in Spokane, Washington. She received her bachelor's degree in applied mathematics from the University of Colorado in Boulder and continued her studies there in atmospheric and oceanic physics. She left in 1999, just a few credit hours short of her Ph.D., and moved to Seattle. There she has had a successful career in computer software design, including a management position at America Online (AOL). She has owned a house and a boat, and has been the fleet coordinator at Seattle's Corinthian Yacht Club.

Notwithstanding her education and professional advancement, Kolar was an active member of the Family, participating in several arsons and Book Club meetings. Her activism started in the mid-1990s with simple protests and civil disobedience while she was in Boulder. She taught people how to resist federal grand juries and protested at the Vail Ski Resort (though she did not take part in the arson there). Becoming frustrated with the perceived ineffectiveness of non-violent activism, Kolar turned to violent criminal behavior.

In 1997 she met Jonathan Paul at an animal rights conference in Minneapolis. He was a celebrity among activists at the time, and they developed a long-distance dating relationship. The wealthy Paul helped the struggling student financially. He told her about his underground

activity with ELF/ALF, specifically about a planned attack on Cavel West. When the cell needed another participant, Paul recruited Kolar and paid her way to Oregon.

Kolar assisted Paul in producing the “Vegan Jell-O” fuel mixture consisting of glycerin soap and diesel. They drove to Central Oregon together and joined the other participants. Although Dibee and Tubbs were outraged that Paul had brought along a stranger, Paul vouched for her, and they grudgingly accepted her. In addition to being a lookout at Cavel West, Kolar assisted Dibee in pouring fuel into the holes he had drilled in the wall.

On October 4, 1998, Kolar and others targeted for arson the Wray Gun Club in Wray, Colorado. The club offended them because of its organized prairie dog hunts. Kolar built incendiary devices and helped set them up, but they failed and no fire occurred.

Kolar was an active participant in the arson at the University of Washington Center for Urban Horticulture on May 21, 2001. By that time she was a trusted associate of Dibee, and in fact they had dated for awhile. Her role was to carefully cut the window glass at Professor Toby Bradshaw’s research office so the incendiary devices could be set there. At the time she was aware of another simultaneous arson, Jefferson Poplar Farm, occurring that night in Oregon.

Initially Kolar thought the planned attack on the BLM Wild Horse Corrals in Litchfield, California, on October 15, 2001, was just to release the horses, but she willingly assisted in the arson when Meyerhoff proposed it. She helped Thurston and Rubin after they crossed the border illegally, and provided “clean” maps of the targeted area. At the facility Kolar helped Meyerhoff set up the incendiary devices.

In the fall of 1999, Dibee and Rodgers began to organize what came to be known as the Book Club, but which Kolar called the “Incubator” group. She participated actively in the Santa

Cruz meeting, along with roughly nine others (including Rodgers, Meyerhoff, Gerlach, McGowan, Block, Zacher, Savoie, and Lacey Phillabaum). Kolar shared her extensive expertise in computers by providing encryption diskettes and instructing on their use, so the group could communicate secretly. It was at this meeting that the Family decided to target biotechnology sites in the future. Kolar later attended a similar meeting in Olympia, where the discussion shifted to violent attacks on researchers. Meyerhoff, Gerlach, Rodgers, Block, Zacher, McGowan and Phillabaum were present. Her final meeting was the one in Sisters, where it became apparent the Family had serious rifts among its members.

Kolar withdrew from Family-related activities after the Litchfield BLM arson. She has acknowledged guilt in the overall conspiracy and substantive crimes at Cavel West, Wray Gun Club, the University of Washington, and Litchfield BLM. Her case is pending sentencing in the Western District of Washington. The government is recommending a reduction for substantial assistance to authorities and a total sentence of **84 months imprisonment**.

**9. Suzanne Nicole Savoie**



**a. Background**

Suzanne Savoie, 29, aka "India," is a resident of Southern Oregon. She grew up in California and attended San Diego State University (SDSU). During her junior year in college, she traveled to Wales, United Kingdom, where she became involved with several different environmental and animal activist groups which were trying to stop fox hunts and performing anti-genetic engineering (GE) actions. She continued her involvement in anti-GE activities when she returned to SDSU for her senior year.

In 1997 she met McGowan over the Internet, although they did not meet physically until the summer of 1999, when they taught an anti-GE workshop together at the Earth First! Rendezvous. She became romantically involved with McGowan during this period, and they started to perform anti-GE crimes together. She participated in at least four anti-GE crimes which caused over \$1,000,000 in damage.

Savoie attended the Ruckus Society training camp near Seattle and then participated with the Black Bloc at the World Trade Organization (WTO) meetings there during December 1999. She was part of a group which planned to occupy an office building and destroy property during the protests at WTO. Sometime after WTO, Savoie attended an Earth First! Organizers



Conference and participated in a meeting which was a forerunner of the Book Club meetings. She attended all five of the actual Book Club meetings held during a one and a half year period. As previously mentioned, participants at these meetings were instructed in a variety of covert measures, including the construction of incendiary devices, reconnaissance, computer security, codes, and lock-picking.

Savoie's first involvement in an arson was at the Superior Lumber Company in Glendale, Oregon, on January 2, 2001. Other participants in this arson were Ferguson, Meyerhoff, Tubbs and McGowan. They all met at a park in Eugene and drove to Glendale in two separate vehicles. They stopped at a rest area off I-5, left one of the vehicles there and all put on dark clothing. They then drove to the lumber company where Savoie was dropped off first at a telephone booth on the south side to serve as a lookout. Afterward, she and McGowan drove to Eugene and spent the night in her van. The next day they drove to Portland where she and McGowan wrote the communique together and sent it to the ELF press office and to the Umpqua Watershed.

Savoie's second arson was at Jefferson Poplar Farm in Clatskanie, Oregon, on May 21, 2001. The other participants were Meyerhoff, McGowan, Block and Zacher. Savoie and McGowan did some research about the business beforehand, and they all did a "dry run" of the selected site before the arson. Savoie served as the driver and lookout. She drove everyone to Jefferson Poplar Farm and dropped them off. She then drove to a pullout area where she could be a lookout and parked the vehicle until she received the signal to pick up the others. Afterward, they drove to Olympia, where she and the others spent the night.